

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

JOSEPH QUEEN,
Plaintiff,

v.

KEVIN DURHAM
ERIE COUNTY
Defendants.

STIPULATION OF DISMISSAL

Docket No. 3-CV-491 S (F)

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys for all of the parties to the above entitled action, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, that all of the plaintiff's claims and causes of action are hereby dismissed pursuant to Rule 41(a)(1), Fed. R. Civ. P. as against all defendants, with prejudice, on the merits and without costs to any party as against any other.

This stipulation may be filed without further notice with the Clerk of the Court.

DATED: Buffalo, New York
November 30, 2007

DAMON & MOREY, LLP
Attorneys for the Plaintiff
Joseph Queen

By: s/s Gregory Zini
Gregory Zini, Esq. of counsel
1000 Cathedral Place
298 Main Street
Buffalo, New York 14202

LAURENCE K. RUBIN, Erie County Attorney
Attorneys for the Defendants Erie County and
Kevin Durham

By: s/s Ruthanne Wannop
RUTHANNE WANNOP, ESQ., of
counsel
69 Delaware Avenue, Suite 300
Buffalo, New York 14202
Telephone: 716-858-2200
Email address: wannopr@erie.gov

SO ORDERED:

**Honorable William M. Skretny
United States District Judge, WDNY**

Date: _____